

EXHIBIT A

10-24-23_0902

Designation List Report



Reickard, Linda

2014-04-03

Plaintiff Designations	00:54:40
Defense Counters	00:05:40
TOTAL RUN TIME	01:00:20



Documents linked to video:

54
69
80
109
193
276
308
315
316
578
577
642
643
644
645
646



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DESIGNATION	SOURCE	DURATION	ID
14:21 - 14:25	Reickard, Linda 2014-04-03	00:00:07	Reickard_04-03-14
14:21	Q. Ms. Reickard, could you,		.1
14:22	please, state your name and occupation for		
14:23	the record?		
14:24	A. Linda Reickard. I'm retired		
14:25	right now.		
19:11 - 19:25	Reickard, Linda 2014-04-03	00:00:31	Reickard_04-03-14
19:11	Q. What did you do after you		.2
19:12	finished teaching?		
19:13	A. I had a child, I took a year		
19:14	off and did some substitute teaching during		
19:15	that year. The year after that, I worked		
19:16	part time for an insurance office. And then		
19:17	after that, I was hired by Midwest Egg		
19:18	Producers on a part-time basis.		
19:19	Q. And who are Midwest Egg		
19:20	Producers?		
19:21	A. They were a regional of United		
19:22	Egg Producers.		
19:23	Q. What year approximately was		
19:24	that?		
19:25	A. 1977.		
20:25 - 22:11	Reickard, Linda 2014-04-03	00:01:51	Reickard_04-03-14
20:25	Q. How long did you work there		.3
21:01			
21:02	for?		
21:03	A. I was there until we		
21:04	consolidated, till UEP consolidated and the		
21:05	regionals were gone.		
21:06	Q. How long after you started		
21:07	there was that?		
21:08	A. We consolidated in 1998.		
21:09	Q. So you worked at Midwest Egg		
21:10	Producers for 20-plus years?		
21:11	A. Right. About 22 years, yes.		
21:12	Q. Where were your offices?		
21:13	A. We started out at Mt. Joy,		
21:14	Iowa, and then we moved to Eldridge, Iowa.		
21:15	Q. Did your role and		
21:16	responsibilities change during those 21		

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DESIGNATION	SOURCE	DURATION	ID
	21:17 years?		
	21:18 A. Yes.		
	21:19 Q. How did they change?		
	21:20 A. I took over the accounting, the		
	21:21 meeting planning. Basically did a lot of		
	21:22 administrative things.		
	21:23 Q. And then what happened in 1988		
	21:24 when you said the UEP consolidated the		
	21:25 Midwest Egg Producers?		
	22:01		
	22:02 A. When I started in 1977, the		
	22:03 Midwest region had close to 500 members, and		
	22:04 over the years through consolidation,		
	22:05 producers getting bigger, the amount of		
	22:06 producers significantly dropped and they felt		
	22:07 like there wasn't a need for regionals		
	22:08 anymore, that they could consolidate and just		
	22:09 be one United Egg Producers. The members		
	22:10 would be members of United Egg Producers, not		
	22:11 the regionals.		
23:09 - 23:13	Reickard, Linda 2014-04-03	00:00:10	Reickard_04-03-14
	23:09 Q. So is it fair to say, then,		.4
	23:10 from 1978 onwards you were responsible for		
	23:11 general administrative tasks around the		
	23:12 office and the accounting services?		
	23:13 A. Yes.		
25:15 - 26:06	Reickard, Linda 2014-04-03	00:01:08	Reickard_04-03-14
	25:15 Q. When you were employed, when		.5
	25:16 you started employment with United Egg		
	25:17 Producers in 1998, what was your role at that		
	25:18 time?		
	25:19 A. I did part of the accounting.		
	25:20 I did the meeting planning. I was in charge		
	25:21 of the egg PAC fund drive.		
	25:22 Q. What is the egg PAC fund drive?		
	25:23 A. That is a PAC fund that is used		
	25:24 for lobbying.		
	25:25 Q. A Political Action Committee.		
	26:01		
	26:02 Is that correct?		

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DESIGNATION	SOURCE	DURATION	ID
	26:03 A. Yes.		
	26:04 Q. Okay. Anything else?		
	26:05 A. I kept the bird numbers for		
	26:06 accounting purposes for invoicing dues.		
48:21 - 48:25	Reickard, Linda 2014-04-03	00:00:21	Reickard_04-03-14
	48:21 MR. SLIDDERS: If I could just		.6
	48:22 exhibit as Reickard Number 3 a		
	48:23 document with Bates number UE0289553,		
	48:24 and it's titled "Administrative Fee		
	48:25 For Animal Care Certification."		
49:12 - 51:22	Reickard, Linda 2014-04-03	00:02:58	Reickard_04-03-14
 578.1.13	49:12 Q. Can you identify this document?		.7
	49:13 A. Yes. It's the piece of paper		
 578.1.11	49:14 that I received so I had the information of		
	49:15 the company name, address, the number of		
	49:16 layers, so that I could invoice for fees.		
 578.1.11	49:17 Q. And this would be the -- and		
	49:18 was this the standard format that you used		
	49:19 to -- as an invoice to collect the fees?		
	49:20 A. I didn't use this as an		
	49:21 invoice.		
	49:22 Q. Sorry. Was this -- did you		
	49:23 send this out to all UEP members, a document		
	49:24 like this?		
	49:25 A. The Georgia office did all of		
	50:01		
	50:02 that. I did not send anything out regarding		
	50:03 that. All I ever received, that I can		
	50:04 recall, was this page with the information		
	50:05 that I needed for doing the accounting part.		
 578.1.12	50:06 Q. Now, if you could go down to		
	50:07 the third paragraph, please, and if you could		
	50:08 read that third paragraph that begins with,		
	50:09 "For Non-UEP Member...," could you read that		
	50:10 into the record, please?		
	50:11 A. "For Non-UEP Member: A base		
	50:12 rate of \$400.00 per company plus a fee of		
	50:13 .002 cents per hen for each company with more		
	50:14 than 100,000 layers."		
	50:15 Q. So non-UEP members could		

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	50:16 also -- would also pay the administrative fee		
	50:17 for animal care certification. Is that		
	50:18 correct?		
	50:19 A. That is correct.		
	50:20 Q. And they paid just a higher fee		
	50:21 than UEP members. Is that correct?		
	50:22 A. That is correct.		
	50:23 Q. And with the -- you calculated		
	50:24 the fee on the basis of the number of hens.		
	50:25 Is that correct?		
	51:01		
	51:02 A. Yes, there was a base fee and		
	51:03 then the rest of it was based on the number		
	51:04 of hens.		
	51:05 Q. And that number of hens, the		
	51:06 additional fee on top of the base fee, was		
 578.1.14	51:07 that calculated on the number of layers that		
	51:08 was shown in the bottom right-hand corner by		
	51:09 the producers? Is that correct?		
	51:10 A. Yes. Now, if it was a		
	51:11 member -- I always made sure that the layer		
	51:12 numbers agreed with the layer numbers that I		
	51:13 had on their -- as part of their membership		
	51:14 because I was very careful about making sure		
	51:15 that the layer numbers were the same across		
	51:16 the board on all of our records for		
	51:17 everything that I did.		
	51:18 Q. And why did you do that?		
	51:19 A. For accuracy.		
 578.1.11	51:20 Q. But who advised you of the		
	51:21 number of -- who filled out this form,		
	51:22 generally speaking?		
52:02 - 53:15	Reickard, Linda 2014-04-03	00:01:34	Reickard_04-03-14
 578.1.11	52:02 A. The person that was applying to		.8
	52:03 join the program.		
	52:04 Q. So a producer. Is that		
	52:05 correct?		
	52:06 A. Yes, I assume so.		
	52:07 Q. And the producer would fill out		
	52:08 this number here for the number of layers.		





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DESIGNATION	SOURCE	DURATION	ID
	52:09 Is that correct?		
	52:10 A. Well, I assumed that they did		
	52:11 that, yes.		
	52:12 Q. And you said you matched this		
	52:13 up with other records of producer's hens. Is		
	52:14 that correct?		
	52:15 A. If it was a UEP member.		
	52:16 Q. If it was a UEP member.		
	52:17 A. Yes. The non-members, I would		
	52:18 have nothing else to compare it to.		
	52:19 Q. With the UEP members, what did		
	52:20 you compare that number with?		
	52:21 A. I have a dues list which our		
	52:22 dues are based on layer numbers. So I would		
	52:23 compare it with that.		
	52:24 Q. And who provided the number of		
	52:25 layers in the payment -- for payment of dues?		
	53:01		
	53:02 A. The producer.		
	53:03 Q. So the producer was responsible		
	53:04 for providing both numbers. Is that correct?		
	53:05 A. Yes.		
	53:06 Q. And the UEP dues were based on		
	53:07 the number of hens that a producer had. Is		
	53:08 that correct?		
	53:09 A. Yes.		
	53:10 Q. And so was the animal care		
	53:11 certification administrative fee?		
	53:12 A. Yes.		
	53:13 Q. Now, would it be in the		
	53:14 interest of the producers to underestimate		
	53:15 the number of hens that they had?		
53:18 - 54:10	Reickard, Linda 2014-04-03	00:00:34	Reickard_04-03-14
	53:18 THE WITNESS: I don't know why		.9
	53:19 they would do that.		
	53:20		
	53:21 Q. Well, if they underestimated		
	53:22 the number of hens they had, would they be		
	53:23 paying less dues to the UEP?		
	53:24 A. Yes.		

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DESIGNATION	SOURCE	DURATION	ID
	53:25 Q. And if they underestimated the		
	54:01		
	54:02 number of hens they had, would they be paying		
	54:03 less of an administrative fee for animal care		
	54:04 certification to the UEP?		
	54:05 A. Yes, but I don't think these		
	54:06 numbers were estimates. It was based on		
	54:07 their capacity.		
	54:08 Q. But who advised you of their		
	54:09 capacity?		
	54:10 A. They did.		
54:12 - 55:03	Reickard, Linda 2014-04-03	00:01:08	Reickard_04-03-14
	54:12 if you just put that aside. You mentioned		.10
	54:13 earlier that you were also responsible for		
	54:14 monthly compliance. Is that correct?		
	54:15 A. Yes.		
	54:16 Q. Could you just tell me what you		
	54:17 mean by "monthly compliance"?		
	54:18 A. There was a four-page form that		
	54:19 they were to fill out as a self check, and		
	54:20 they were to send that in monthly to my		
	54:21 office.		
 308.1.5	54:22 MR. SLIDDERS: If I could		
	54:23 exhibit another document entitled		
	54:24 Reickard-4 with Bates number UE0284847		
	54:25 to UE0284850. It's entitled UEP		
	55:01		
	55:02 Certified Guidelines Monthly		
	55:03 Compliance Report.		
55:12 - 55:18	Reickard, Linda 2014-04-03	00:00:19	Reickard_04-03-14
 308.1	55:12 Q. Ms. Reickard, can you identify		.11
	55:13 this document?		
	55:14 A. Yes, this was the monthly		
	55:15 compliance report.		
	55:16 Q. And is this the form of		
	55:17 document that you would use to identify		
	55:18 compliance with the UEP Certified Guidelines?		
55:21 - 56:12	Reickard, Linda 2014-04-03	00:00:31	Reickard_04-03-14
	55:21 THE WITNESS: It was a report		.12
	55:22 that they were supposed to do monthly		

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DESIGNATION	SOURCE	DURATION	ID
 Clear	55:23	to help them check to make sure that	
	55:24	they were in compliance with the	
	55:25	program.	
	56:01		
	56:02		
	56:03	Q. And so would producers complete	
	56:04	this form?	
	56:05	A. Someone in the producer's	
	56:06	organization, yes.	
	56:07	Q. And they would send that form,	
	56:08	then, to the UEP?	
	56:09	A. Yes.	
	56:10	Q. Who would receive that form at	
	56:11	the UEP?	
	56:12	A. My office.	
56:13 - 56:15	Reickard, Linda 2014-04-03	00:00:09	Reickard_04-03-14
	56:13	MR. SLIDDERS: Now, if I could	.13
	56:14	go to -- if I could exhibit another	
	56:15	document. Another couple of documents	
56:16 - 56:17	Reickard, Linda 2014-04-03	00:00:15	Reickard_04-03-14
	56:16	actually. Firstly is Reickard Number	.14
	56:17	5. This is Bates numbered MFI034415.	
57:07 - 58:04	Reickard, Linda 2014-04-03	00:01:02	Reickard_04-03-14
 276.1.3	57:07	Ms. Reickard, could you	.15
	57:08	identify this document?	
 276.1.6	57:09	A. Yes, this is a letter that my	
	57:10	office would have sent out.	
	57:11	Q. And why would you send this	
	57:12	letter out?	
	57:13	A. Because one of my functions was	
	57:14	to be sure that all of our bird numbers were	
	57:15	accurate so that we could accurately invoice	
	57:16	fees for all of our different programs.	
	57:17	Q. And would you send this out to	
	57:18	every member of the UEP?	
	57:19	A. Yes.	
	57:20	Q. And you would include -- see	
 276.1.5	57:21	down the bottom of that you have the -- can	
	57:22	you explain what that bottom table is for me,	
	57:23	please?	

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DESIGNATION	SOURCE	DURATION	ID
	57:24 A. On this particular producer, 57:25 Michael Foods, they had layers in several 58:01 58:02 different facilities. And I just kept a 58:03 record of those different facilities so that 58:04 we knew how many layers were in each state.		
58:13 - 59:03  276.1.5	Reickard, Linda 2014-04-03 58:13 Q. In the second column to the 58:14 left where it has Wakefield, Nebraska, is it 58:15 Le Sueur and Gaylord, and then contract and 58:16 then contract South Dakota, contract 58:17 Minnesota. Now, is Wakefield, Le Sueur and 58:18 Gaylord, are they Michael Foods facilities? 58:19 So they would be Michael Foods facilities. 58:20 Is that correct? 58:21 A. I believe so. 58:22 Q. And is where it -- if you 58:23 follow on after Gaylord, it has contract 58:24 Iowa, contract South Dakota, contract 58:25 Minnesota, contract Nebraska. Does that 59:01 59:02 refer to contract egg producers that Michael 59:03 Foods have contracted to supply eggs?	00:00:50	Reickard_04-03-14 .16
59:07 - 59:10  276.1.5	Reickard, Linda 2014-04-03 59:07 Q. If you know the answer. 59:08 A. These were the contract 59:09 producers that Michael Foods had in these  Clear 59:10 different states.	00:00:08	Reickard_04-03-14 .17
59:15 - 60:22	Reickard, Linda 2014-04-03 59:15 Q. And would the members, would 59:16 the -- how would members reply to this 59:17 memorandum or fax? 59:18 A. In various ways. Some of them 59:19 would send a letter back, say everything is 59:20 okay. Some of them -- if it needed to be 59:21 corrected, they would correct it. Some would 59:22 call. So it just depended on how they wanted 59:23 to get back to me. 59:24 Q. So it was up to the producers 59:25 to respond and clarify their flock numbers?	00:01:46	Reickard_04-03-14 .18

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DESIGNATION	SOURCE	DURATION	ID
	60:01		
	60:02 A. Yes.		
	60:03 Q. Thank you.		
 308.1	60:04 Now, if we go back -- sorry to		
	60:05 do this. If we can go back to Exhibit 4. If		
	60:06 you look down, halfway down the page under		
 308.1.4	60:07 "Housing and Space Allowances," and the first		
	60:08 line, if you could read the first line into		
	60:09 the record for me, please?		
	60:10 A. "Were chicks hatched after		
	60:11 April 1, 2005 housed as layers at 61 inches		
	60:12 per white eggs or 68 inches for brown eggs?"		
	60:13 Q. And then the next line?		
	60:14 A. "Were chicks hatched after		
	60:15 October 1, 2006 housed as layers at 64 inches		
	60:16 for white eggs or 72 inches for brown eggs?"		
	60:17 Q. The next line?		
	60:18 A. "Were chicks hatched after		
	60:19 April 1, 2008 housed as layers at 67 inches		
	60:20 for white eggs or 76 inches for brown eggs?"		
	60:21 Q. What were the -- is that the		
 Clear	60:22 cage space allowance for each hen?		
61:02 - 62:05	Reickard, Linda 2014-04-03	00:01:24	Reickard_04-03-14
	61:02 Q. Why are those questions		.19
	61:03 relevant?		
	61:04 A. Because we were concerned with		
	61:05 humane practices.		
	61:06 Q. What does the 61 inches refer		
	61:07 to?		
	61:08 A. The amount of spaces in a cage.		
	61:09 Q. For?		
	61:10 A. For the hens.		
	61:11 Q. Then why did it change from		
	61:12 2005 to October 2006 and then to April 1,		
	61:13 2008?		
	61:14 A. Because they knew they had to		
	61:15 gradually bring this process.		
	61:16 Q. Why was it gradual?		
	61:17 A. Because they wouldn't have been		
	61:18 able to do it all at once.		

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DESIGNATION	SOURCE	DURATION	ID
	61:19 Q. Now, if a producer was to		
	61:20 respond -- if you look down in the columns		
	61:21 next to that, it has yes or no columns. Do		
	61:22 you see that?		
	61:23 A. Yes.		
	61:24 Q. And if a producer, say for the		
	61:25 first question checked yes, would that mean		
	62:01		
	62:02 that the chicks hatched after April 1, his		
	62:03 chicks hatched after April 1 were housed as		
	62:04 layers at 61 inches for white eggs or		
	62:05 68 inches for brown eggs? Is that correct?		
62:08 - 65:11	Reickard, Linda 2014-04-03	00:03:06	Reickard_04-03-14
	62:08 THE WITNESS: Are you asking why		.20
	62:09 this producer marked no or --		
	62:10		
	62:11 Q. No, just generally. Is it fair		
	62:12 to say -- this is the standard form that you		
	62:13 would send out as a monthly compliance		
	62:14 report. Is that correct?		
	62:15 A. At this time it was, yes.		
	62:16 Q. Did it change?		
	62:17 A. I believe it did change over		
	62:18 the years, yes.		
	62:19 Q. Did it still have the same		
	62:20 basic information?		
	62:21 A. I believe so.		
	62:22 Q. So if a producer provided hens		
	62:23 with 61 inches or 64 inches or 67 inches as		
	62:24 required, as stated in those first three		
	62:25 sentences, he would simply check yes. Is		
	63:01		
	63:02 that correct?		
	63:03 A. Yes.		
	63:04 Q. And the producer would do that.		
	63:05 Is that correct?		
	63:06 A. Yes.		
 308.3.4	63:07 Q. Now, if you turn to page 3 of		
	63:08 the document, and it has a table under the		
	63:09 heading of "NEW LAYERS." Do you see that in		

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DESIGNATION	SOURCE	DURATION	ID
63:10	front of you?		
63:11	A. Yes.		
63:12	Q. Could you just explain this		
63:13	table to me?		
63:14	A. If they housed layers that		
63:15	month, this is the -- they filled out this		
63:16	section.		
63:17	Q. And when you say whether they		
63:18	housed layers that month, was that their		
63:19	total number of layers?		
63:20	A. Just for the -- just for any		
63:21	houses that they put new layers in that		
63:22	month.		
63:23	Q. Is this -- when you say "new		
63:24	layers," what do you mean?		
63:25	A. I mean the house, the chickens		
64:01			
64:02	were gone out of this house and they brought		
64:03	new ones in.		
64:04	Q. But then they would -- they		
64:05	would have other -- would they -- would the		
64:06	producer have other houses with other layers?		
64:07	A. If it was a small producer, he		
64:08	might not. This might be his only house.		
64:09	Big producers would have had numerous houses.		
64:10	Q. So if we start with the		
64:11	left-hand column, then, we have the layer		
64:12	house number, and that is where you would		
64:13	identify the facility. Is that correct?		
64:14	A. Yes.		
64:15	Q. And then "White Or Brown," I		
64:16	assume that refers to the egg?		
64:17	A. Yes.		
64:18	Q. Then the "Location" is the		
64:19	location. The "Hatch Date" would be the		
64:20	hatching date of the chicks. Is that		
64:21	correct?		
64:22	A. Yes.		
64:23	Q. Indicate cage or cage free is		
64:24	self-explanatory.		
64:25	Now, the next column has total		


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DESIGNATION	SOURCE	DURATION	ID
	65:01		
	65:02 square inch of cage space in house under that		
	65:03 column. Now, would the producer fill that		
	65:04 column out as -- when you say total square		
	65:05 inch of cage space in a house, are you		
	65:06 talking about the square inches available for		
	65:07 chickens in the entire house?		
	65:08 A. Yes.		
	65:09 Q. And then when you say, "Layers		
	65:10 Housed THIS MONTH ONLY," you're referring		
	65:11 only to new layers. Is that correct?		
65:14 - 66:22	Reickard, Linda 2014-04-03	00:01:39	Reickard_04-03-14
 308.3.4	65:14 THE WITNESS: New layers or		.21
	65:15 if -- I suppose they could have		
	65:16 brought some in from a different house		
	65:17 for some reason, but...		
	65:18		
	65:19 Q. So does that refer, then, to		
	65:20 additional layers?		
	65:21 A. No.		
	65:22 Q. If you had a henhouse with		
	65:23 100,000 hens in it, and then in September		
	65:24 they added 10,000 hens to that henhouse,		
	65:25 would they fill out -- what would they put in		
	66:01		
	66:02 this form here for September?		
	66:03 A. They wouldn't have put anything		
	66:04 in this section. They would have put down		
	66:05 below under the incomplete house because		
	66:06 obviously they didn't have the house full the		
	66:07 month before. So they would have --		
	66:08 Q. So would you only fill this		
	66:09 first section up when you were putting layers		
	66:10 into a new house?		
	66:11 A. A newly built house?		
	66:12 Q. Yes.		
	66:13 A. No.		
	66:14 Q. You would only use this if you		
	66:15 were adding layers to the existing house?		
	66:16 A. To an existing house or a new		

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DESIGNATION	SOURCE	DURATION	ID
	66:17 house. Any facility that they put new birds		
	66:18 into, whether they were brand new pullets or		
	66:19 chickens ready to lay eggs or if they moved		
	66:20 them from somewhere else.		
	66:21 Q. But why wouldn't that be an		
	66:22 incomplete house?		
66:25 - 67:12	Reickard, Linda 2014-04-03	00:00:30	Reickard_04-03-14
 308.3.4	66:25 THE WITNESS: If they didn't		.22
	67:01		
	67:02 fill the house up that month.		
	67:03		
	67:04 Q. Right. You said before, I'm		
	67:05 just trying to work this out for myself.		
 308.3.5	67:06 That in the second table here, if the farm		
	67:07 had added 10,000 layers in September to its		
	67:08 existing 100,000 layers, that would be		
	67:09 included in the second table below that under		
	67:10 INCOMPLETE HOUSE OR BACKFILLED HOUSE. Is		
	67:11 that correct?		
	67:12 A. Yes.		
67:17 - 68:04	Reickard, Linda 2014-04-03	00:00:24	Reickard_04-03-14
 308.3	67:17 Q. So when would you -- in that		.23
	67:18 scenario, then, when would you include		
	67:19 anything in this column "Layers Housed THIS		
	67:20 MONTH ONLY"? Would the house have to have		
	67:21 been empty?		
	67:22 A. Yes.		
	67:23 Q. So it would be a totally empty		
	67:24 house?		
	67:25 A. Yes.		
	68:01		
 Clear	68:02 Q. And then you would fill out		
	68:03 this column here?		
	68:04 A. Yes.		
68:05 - 68:14	Reickard, Linda 2014-04-03	00:00:53	Reickard_04-03-14
 316.2.5	68:05 Q. Hold on to that exhibit.		.24
	68:06 MR. SLIDDERS: If I could		
	68:07 exhibit another document as Exhibit		
	68:08 Number Reickard-6 which is UE0515976		
	68:09 to UE015 -- 515977 which is an e-mail		

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DESIGNATION	SOURCE	DURATION	ID
	68:10 dated October 14, 2005, to Joe Fortin		
	68:11 from Linda Reickard, enclosing a		
	68:12 memorandum to Joe Fortin from Linda		
	68:13 Reickard with the subject of "Capacity		
	68:14 Layer Numbers," October 14, 2005.		
69:03 - 70:25	Reickard, Linda 2014-04-03	00:02:08	Reickard_04-03-14
 316.2.4	69:03 Q. Now, I think you testified		.25
	69:04 earlier that you used the -- it was a		
	69:05 capacity of henhouses that were used for the		
	69:06 UEP dues and the ACC administrative fee. Is		
	69:07 that correct?		
	69:08 A. Yes.		
	69:09 Q. And so can you identify this		
	69:10 document?		
	69:11 A. Yes.		
	69:12 Q. And what is it?		
	69:13 A. In October we would verify with		
	69:14 all of our members, whether they be members		
	69:15 of UEP or members of certified program, their		
	69:16 capacity numbers so that when I did		
	69:17 invoicing, the invoices were correct and I		
	69:18 would not have to make adjusting entries.		
 316.2.3	69:19 Q. And when you have -- if you go		
	69:20 to the third paragraph, it says, "The		
	69:21 capacity layer numbers we show for your		
	69:22 operation...," and then you have I assume		
	69:23 there a list of Moark facilities with a		
	69:24 capacity of their hens. Is that correct?		
	69:25 A. That's correct.		
	70:01		
	70:02 Q. And to derive that number		
	70:03 there, the capacity of the hens, how would		
	70:04 you come up with that number in October?		
	70:05 A. That would have been the number		
	70:06 that I had on my records already.		
	70:07 Q. Now, what records would they		
	70:08 have been?		
	70:09 A. My dues.		
	70:10 Q. From the previous year?		
 Clear	70:11 A. From the previous year.		


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DESIGNATION	SOURCE	DURATION	ID
 308.1	70:12 Q. Then would you use these forms 70:13 here? These -- if we go back to Exhibit 4, 70:14 would you use these forms?		
 Clear	70:15 A. No. 70:16 Q. Not at all? So what other -- 70:17 how would you have gotten information of any 70:18 increase in capacity during the year? 70:19 A. Sometimes staff would let me 70:20 know that they had visited someone and that 70:21 they had built a new house and they were just 70:22 making me aware that there would be a change 70:23 in bird numbers. Sometimes they would know 70:24 how many it was or just alert me to the fact 70:25 that I needed to be sure to check.		
71:09 - 71:17	Reickard, Linda 2014-04-03 71:09 Q. Did you send a form like this 71:10 to all members in October generally speaking? 71:11 A. I can't remember when we 71:12 started doing it in this way, but as I did 71:13 this job over the years, I would make it more 71:14 sophisticated, easier for us to handle, less 71:15 paperwork. By the time I was into 2012, this 71:16 definitely was the way we did it, sent it to 71:17 all the members to verify numbers.	00:00:39	Reickard_04-03-14 .26
72:09 - 72:19	Reickard, Linda 2014-04-03 72:09 Q. Mrs. Reickard, we've been 72:10 discussing the collection of dues by the UEP 72:11 and how that was based on the layer capacity 72:12 of egg producers. Is that correct? 72:13 A. That's correct. 72:14 Q. Was it ever based on the number 72:15 of, the actual number of layers? 72:16 A. No. 72:17 Q. It has always been based on 72:18 capacity rather than layers? 72:19 A. Yes.	00:00:28	Reickard_04-03-14 .27
79:11 - 79:16	Reickard, Linda 2014-04-03 79:11 MR. SLIDDERS: If we could go 79:12 back to the table which I believe is 79:13 Exhibit 5, and then if we could	00:00:20	Reickard_04-03-14 .28
 54.1.3			



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DESIGNATION	SOURCE	DURATION	ID
	79:14 exhibit another document, UE -- this		
	79:15 is a document entitled, it's a memo		
	79:16 dated April 30.		
79:16 - 79:20	Reickard, Linda 2014-04-03	00:00:18	Reickard_04-03-14
 54.1	79:16 It's a memorandum to		.29
	79:17 John Glessner from Linda Reickard,		
	79:18 with the subject "UEP Certification,"		
	79:19 April 30 -- dated April 30, 2007, and		
	79:20 it's marked as Exhibit Number 7.		
80:09 - 81:09	Reickard, Linda 2014-04-03	00:01:09	Reickard_04-03-14
 54.1.2	80:09 Q. And is this the same sort of		.30
	80:10 letter you would send to producers after you		
	80:11 received their monthly compliance report?		
	80:12 A. If I discovered that there was		
	80:13 an issue with the number of layers, then,		
	80:14 yes, it is.		
	80:15 Q. When you say when there is an		
	80:16 issue with the number of layers, what do you		
	80:17 mean?		
	80:18 A. I mean I would have calculated		
	80:19 the total square inches of cage space in the		
	80:20 house by the number of -- for instance, the		
	80:21 64 square inches or 67, whatever was required		
	80:22 at that time, to see how many layers they		
	80:23 should -- the most amount of layers that they		
	80:24 should have. And if the numbers they		
	80:25 reported exceeded this, then I would send		
	81:01		
	81:02 them a letter alerting them to the facts that		
	81:03 there could be a problem when their audit		
	81:04 came up.		
	81:05 Q. In that spreadsheet that we		
	81:06 just spoke about, did you also record in that		
	81:07 spreadsheet the total square inches of cage		
	81:08 space in each house?		
	81:09 A. No.		
83:03 - 84:07	Reickard, Linda 2014-04-03	00:01:32	Reickard_04-03-14
 54.1.2	83:03 Q. So if you look at that letter		.31
	83:04 to Mr. Glessner and you said in the next		
	83:05 paragraph that, if you look at the third		

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DESIGNATION	SOURCE	DURATION	ID
	83:06 sentence there, it says, "To be at 64 square		
	83:07 inches you should have no more than 151,040		
	83:08 birds in house 10, 152,500 in house 11, and		
	83:09 152,500 in house 16 and you listed 158,450 in		
	83:10 house 10, 159,517 in house 11, and 160,000 in		
	83:11 house 16 putting you over the allotted		
	83:12 allowance by 7,410, 7,017 and 7,500 layers		
	83:13 respectively."		
	83:14 Do you see where it says that?		
 Clear	83:15 A. Yes.		
	83:16 Q. How would you come to that		
	83:17 calculation?		
	83:18 A. They would have had the total		
	83:19 square inches of cage space in house filled		
	83:20 in, and I would have multiplied that by the		
	83:21 number that they were allowed, either the 64		
	83:22 or the 67, depending on when it was. And		
	83:23 then I -- my figure, I compare that to the		
	83:24 figure that they wrote in, the layer numbers		
	83:25 that they had.		
	84:01		
	84:02 Q. And where would you get the		
	84:03 figure of the layer numbers they had?		
	84:04 A. They wrote it in in the last		
	84:05 column, layers housed this month only.		
	84:06 Q. So that figure was an average.		
	84:07 Is that correct?		
84:10 - 84:17	Reickard, Linda 2014-04-03	00:00:17	Reickard_04-03-14
	84:10 THE WITNESS: Not that -- I		.32
	84:11 think that was their actual figure as		
	84:12 far as I know.		
	84:13		
	84:14 Q. Let me put it another way.		
	84:15 You don't know whether every		
	84:16 hen had 64 square inches on Mr. Glessner's		
	84:17 property, do you, cage space allowance?		
84:20 - 85:06	Reickard, Linda 2014-04-03	00:00:29	Reickard_04-03-14
	84:20 THE WITNESS: I don't know		.33
	84:21 anything about what he had for sure.		
	84:22 I just go by what was written on the		

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DESIGNATION	SOURCE	DURATION	ID
	84:23 form.		
	84:24		
	84:25 Q. And the way you calculated		
	85:01		
	85:02 whether he was in compliance or not was		
	85:03 whether the number of hens had -- the number		
	85:04 of hens in total averaged 64 inches or more		
	85:05 compared to the total cage space within that		
	85:06 facility. Is that correct?		
85:09 - 85:15	Reickard, Linda 2014-04-03	00:00:16	Reickard_04-03-14
	85:09 THE WITNESS: I believe that's		.34
	85:10 correct.		
	85:11		
	85:12 Q. So you don't actually know		
	85:13 whether in one particular cage there was -- a		
	85:14 hen had more than 64 square inches or not?		
	85:15 A. No, I do not know that.		
85:16 - 85:21	Reickard, Linda 2014-04-03	00:00:29	Reickard_04-03-14
 193.1.6	85:16 MR. SLIDERS: If I could		.35
	85:17 exhibit now Exhibit Reickard-8. It is		
	85:18 a document with Bates number UE0153388		
	85:19 to UE0153390. It's entitled, "UEP		
	85:20 Animal Welfare Committee October 9,		
	85:21 2002 Savannah, Georgia MINUTES."		
86:06 - 86:08	Reickard, Linda 2014-04-03	00:00:03	Reickard_04-03-14
 193.1	86:06 Q. Please take your time to look		.36
	86:07 at those minutes.		
	86:08 [Reviewing document.]		
86:09 - 86:20	Reickard, Linda 2014-04-03	00:00:27	Reickard_04-03-14
 193.1	86:09 Q. Ms. Reickard, can you identify		.37
	86:10 this document?		
	86:11 A. It looks like it's the minutes		
	86:12 of the Animal Welfare Committee on		
	86:13 October 9th of 2002 in Savannah, Georgia.		
 193.1.7	86:14 Q. If you look under the UEP		
	86:15 members, staff and guests involved, if you go		
	86:16 to the third last line, is that your name on		
	86:17 the third last line?		
	86:18 A. Yes, it is.		

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DESIGNATION	SOURCE	DURATION	ID
	86:19 Q. So were you in attendance at 86:20 this meeting?		
86:23 - 86:24  193.1.7	Reickard, Linda 2014-04-03 86:23 THE WITNESS: According to these 86:24 minutes I was. I don't remember.	00:00:03	Reickard_04-03-14 .38
87:02 - 87:04	Reickard, Linda 2014-04-03 87:02 Q. You don't recall being at this 87:03 meeting? 87:04 A. No.	00:00:05	Reickard_04-03-14 .39
87:05 - 87:17  193.3  193.3.3	Reickard, Linda 2014-04-03 87:05 Q. If we could turn to page 3, if 87:06 you go about a third of the way down the page 87:07 that has in bold and underlined, "Monthly 87:08 Compliance Reports." Could you, please, read 87:09 that paragraph into the record? 87:10 A. "Reickard reported on the 87:11 number of companies that had filed their 87:12 August compliance report and announced that 87:13 some changes were being made to the reporting 87:14 form. She announced that letters had been 87:15 sent to companies that were even one bird 87:16 over the allowable limit to meet the space 87:17 requirements."	00:00:38	Reickard_04-03-14 .40
87:18 - 87:20  193.3.3  Clear	Reickard, Linda 2014-04-03 87:18 Q. Do you recall making that 87:19 report? 87:20 A. I don't.	00:00:04	Reickard_04-03-14 .41
87:21 - 89:13	Reickard, Linda 2014-04-03 87:21 Q. Do you recall sending letters 87:22 to producers who were even one bird over the 87:23 allowable limit of cage space requirements? 87:24 A. Yes. You've seen copies of the 87:25 letters that I have sent to people. 88:01 88:02 Q. And you would send them even if 88:03 they were one bird over the allowable cage 88:04 space limit? 88:05 A. I did. 88:06 Q. Why?	00:02:07	Reickard_04-03-14 .42

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DESIGNATION	SOURCE	DURATION	ID
88:07	A. To let them know that there		
88:08	could be a problem. I mean, that was my job.		
88:09	If they were even one over, I was to let them		
88:10	know.		
88:11	Q. Did you ever send any producers		
88:12	letters about beak trimming?		
88:13	A. I don't think so.		
88:14	Q. Did you ever send any producers		
88:15	letters about forced molting?		
88:16	A. I don't think so.		
88:17	Q. So just so I'm clear, if, for		
88:18	example, Moark had a flock of 10 million		
88:19	birds, and they had one bird that -- over the		
88:20	cage space allowance in accordance with those		
88:21	calculations that you described to me		
88:22	earlier, you would send them a letter		
88:23	advising them that they were over the limit.		
88:24	Is that correct?		
88:25	A. That is correct.		
89:01			
89:02	Q. If you alerted a producer that		
89:03	they were over the cage space allowance		
89:04	limit, what did -- and the -- did the		
89:05	producer generally respond?		
89:06	A. I can't say that they all 100		
89:07	percent responded. If there was a typo or		
89:08	they had picked up the wrong number of birds,		
89:09	then they would correct their form and sent		
89:10	it back to me.		
89:11	Q. And what would you do if they		
89:12	didn't respond?		
89:13	A. Nothing.		
97:19 - 98:05	Reickard, Linda 2014-04-03	00:00:35	Reickard_04-03-14
97:19	Q. Did UEP members ever advise you		.43
97:20	of when they had engaged in backfilling?		
97:21	A. Did they advise me what?		
97:22	Q. Of when they had engaged in		
97:23	backfilling?		
97:24	A. I don't think so, because I		
97:25	don't think it was allowed with the Animal		

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DESIGNATION	SOURCE	DURATION	ID
	98:01		
	98:02 Husbandry Program.		
	98:03 Q. If we can go back to Exhibit		
	98:04 Number 3, I think, the table before, the		
	98:05 monthly compliance report.		
98:06 - 98:25	Reickard, Linda 2014-04-03	00:00:51	Reickard_04-03-14
 308.3	98:06 Now, if you look at the table,		.44
	98:07 the second page of the table -- sorry, the		
	98:08 third page of the table.		
	98:09 A. Which page?		
	98:10 Q. The third page.		
	98:11 A. Okay.		
 308.3.7	98:12 Q. It says, incomplete house or		
	98:13 backfilled layers because of catastrophic		
	98:14 mortality. Okay?		
	98:15 A. Yes.		
	98:16 Q. So if a producer backfilled		
	98:17 their cages, would they identify in this		
	98:18 monthly compliance form?		
	98:19 A. If they had some sort of		
	98:20 catastrophic event, then they would have		
	98:21 filled that form out, yes.		
	98:22 Q. And if they didn't have any		
	98:23 catastrophic event and they backfilled?		
	98:24 A. They wouldn't have put it on		
 Clear	98:25 the form.		
99:08 - 99:13	Reickard, Linda 2014-04-03	00:00:28	Reickard_04-03-14
 315.1.3	99:08 MR. SLIDDERS: If I could		.45
	99:09 identify a document Bates number		
	99:10 UE049017. It's an e-mail from Linda		
	99:11 Reickard to M. O'Connor at Moark, LLC,		
	99:12 dated September 6, 2005. And that's		
	99:13 going to be Exhibit Number 12.		
99:20 - 101:19	Reickard, Linda 2014-04-03	00:02:07	Reickard_04-03-14
 315.1.2	99:20 Q. Is that -- can you identify		.46
	99:21 that e-mail, Ms. Reickard?		
	99:22 A. I don't remember this e-mail,		
	99:23 but...		
	99:24 Q. Is there any reason that you		
	99:25 would not have sent it?		

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DESIGNATION	SOURCE	DURATION	ID
	100:01		
	100:02 A. No.		
	100:03 Q. Now, the e-mail says that on		
	100:04 your August report you report that you		
	100:05 backfilled. Now, is it fair to say -- fair		
	100:06 to assume that would have referred to his		
	100:07 monthly compliance report for the month of		
	100:08 August?		
	100:09 A. Yes.		
	100:10 Q. And -- but you did not list the		
	100:11 catastrophe which occurred. So is it fair to		
	100:12 say, then, that he would not have		
	100:13 identified -- he would have backfilled, but		
	100:14 not identified a catastrophe? Is that		
	100:15 correct?		
	100:16 A. According to that e-mail, that		
	100:17 is correct.		
	100:18 Q. Then you say, "As noted,		
	100:19 backfilling is not allowed after June 1,		
	100:20 2005, unless there was a catastrophe." Is		
	100:21 that correct? Let's start with is that a		
	100:22 correct sentence in the e-mail?		
	100:23 A. I don't remember the rules or		
	100:24 when they took place, but I'm assuming that		
	100:25 that is correct because that's what I wrote.		
 Clear	101:01		
	101:02 Q. And were you aware that		
	101:03 backfilling was not allowed?		
	101:04 A. I would have been at that time,		
	101:05 yes.		
	101:06 Q. And what do you understand the		
	101:07 term "...unless there was a catastrophe" to		
	101:08 mean?		
	101:09 A. A fire. You know, something		
	101:10 happened to all or the majority of the birds		
	101:11 in the house, something drastic happened.		
	101:12 Q. And in the event of a		
	101:13 catastrophe, you were allowed to backfill.		
	101:14 Is that correct?		
	101:15 A. Yes.		
	101:16 Q. But otherwise you were not		

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DESIGNATION	SOURCE	DURATION	ID
	101:17 allowed to backfill. Is that correct?		
	101:18 A. After that date apparently,		
	101:19 yes.		
108:13 - 108:14	Reickard, Linda 2014-04-03	00:00:06	Reickard_04-03-14
 109.1.7	108:13 MR. SLIDDERS: If I could just		.47
	108:14 exhibit another e-mail. If I could --		
108:15 - 108:18	Reickard, Linda 2014-04-03	00:00:18	Reickard_04-03-14
	108:15 this is Exhibit Number 15. This is an		.48
	108:16 e-mail from Linda Reickard to Paul		
	108:17 VandeBunte, dated March 15, 2006. The		
	108:18 subject line is, "Re: Feb. Report."		
109:06 - 111:22	Reickard, Linda 2014-04-03	00:02:31	Reickard_04-03-14
 109.1	109:06 Q. Can you identify this e-mail?		.49
	109:07 A. It looks like I wrote it.		
	109:08 Q. Who is Paul VandeBunte?		
	109:09 A. One of the producers in the		
	109:10 program.		
	109:11 Q. And you would have sent this		
	109:12 e-mail as part of your business at UEP?		
	109:13 A. Yes.		
 109.1.4	109:14 Q. Now, if we start at the bottom		
	109:15 where the first e-mail goes, you say, "Paul,		
	109:16 You backfilled 740 layers in K-10 in		
	109:17 February."		
	109:18 Now, would K10 be the house?		
	109:19 A. Yes, that would have been.		
	109:20 Q. And the 740 would have been the		
	109:21 number of layers. Is that correct?		
	109:22 A. That would have been the number		
	109:23 of what?		
	109:24 Q. Of layers that Mr. VandeBunte		
	109:25 backfilled.		
	110:01		
	110:02 A. Backfilled.		
	110:03 Q. Then you go on to say the		
	110:04 "Backfilling is not allowed unless there was		
	110:05 a catastrophe, and you did not explain about		
	110:06 any catastrophe."		
	110:07 Do you see where it says that?		
	110:08 A. Yes.		

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DESIGNATION	SOURCE	DURATION	ID
 109.1.5	110:09 Q. Then you say, "Can you please		
	110:10 explain about these layers?"		
	110:11 Then Mr. VandeBunte replies on		
	110:12 March 15, 2006, where he says, Could not		
	110:13 house in K-6 because they exceeded the 61		
	110:14 square inch so I backfilled into K10.		
	110:15 Do you see that?		
	110:16 A. I do.		
	110:17 Q. So is it fair to say, then,		
	110:18 that because Mr. VandeBunte -- so would K6 be		
	110:19 a house?		
	110:20 A. Pardon?		
	110:21 Q. Would K6 be a reference to a		
	110:22 house, a henhouse?		
	110:23 A. Yes.		
	110:24 Q. Could you explain what he means		
	110:25 because they exceeded 61 square inches?		
	111:01		
	111:02 A. It looks like he had too many		
	111:03 birds to put in that house.		
	111:04 Q. And accordingly, he backfilled		
	111:05 into another house, K10?		
 109.1.6	111:06 A. That looks like what he did.		
	111:07 Q. Okay. And then if we go to the		
	111:08 top, your final e-mail in the chain to		
	111:09 Mr. VandeBunte, dated March 15, 2006, you		
	111:10 say, "Those birds will need to be destroyed		
	111:11 in order to stay in compliance."		
	111:12 Do you see that?		
	111:13 A. I do.		
	111:14 Q. What do you mean by		
	111:15 "destroyed"?		
	111:16 A. Well, taken out of the house.		
	111:17 What he would do with them, I don't know.		
	111:18 Q. So when you say "destroyed,"		
	111:19 you mean taken out of the house?		
	111:20 A. That's -- yes. I mean, I do		
 Clear	111:21 not know what people did if they had too many		
	111:22 birds.		
122:10 - 123:03	Reickard, Linda 2014-04-03	00:00:55	Reickard_04-03-14

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DESIGNATION	SOURCE	DURATION	ID
	122:10 Q. If I say USEM, will you		.50
	122:11 understand that to refer to U.S. -- United		
	122:12 States Egg Marketers?		
	122:13 A. Yes.		
	122:14 Q. Did you have any		
	122:15 responsibilities in connection with USEM?		
	122:16 A. I did.		
	122:17 Q. What were those		
	122:18 responsibilities?		
	122:19 A. Accounting.		
	122:20 Q. What do you mean when you say		
	122:21 "accounting"?		
	122:22 A. I did billing, accounts		
	122:23 payable, helped with the forms when we had an		
	122:24 export of the allocations of how many cases		
	122:25 each member was responsible for.		
	123:01		
	123:02 Q. When you say "billing," who		
	123:03 were you billing?		
123:06 - 124:02	Reickard, Linda 2014-04-03	00:00:52	Reickard_04-03-14
	123:06 THE WITNESS: The exporter who		.51
	123:07 was buying the eggs.		
	123:08 BY MR. BROWN:		
	123:09 Q. The purchaser?		
	123:10 A. Yes, that's the purchaser.		
	123:11 Q. And you said that you helped		
	123:12 with the forms for the exports. Is that		
	123:13 right?		
	123:14 A. Yes. The forms that Phyllis		
	123:15 went over that she used for the number of		
	123:16 cases, I had the bird numbers because that's		
	123:17 what I kept track of, and then we were able		
	123:18 to use those bird numbers to allocate how		
	123:19 many cases each person was responsible for.		
	123:20 So between the two of us, we -- she had some		
	123:21 figures and I had some figures, so we put		
	123:22 together that form.		
	123:23 Q. And that was going to be my		
	123:24 next question. Who did you help? And is it		
	123:25 Phyllis Blizzard, is that correct?		

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DESIGNATION	SOURCE	DURATION	ID
	124:01		
	124:02 A. That's correct.		
124:07 - 124:15	Reickard, Linda 2014-04-03	00:00:29	Reickard_04-03-14
	124:07 Q. Did you ever keep track of like		.52
	124:08 a list of USEM members?		
	124:09 A. I had a list. If we did an		
	124:10 export, then I had an updated list of the		
	124:11 membership because I had to have that. I		
	124:12 didn't really keep track of the membership		
	124:13 until we had the next export and then I would		
	124:14 verify with Phyllis if the ones I had were		
	124:15 still members.		
126:13 - 126:22	Reickard, Linda 2014-04-03	00:00:27	Reickard_04-03-14
	126:13 Q. So as an employee of UEP, why		.53
	126:14 did you have responsibilities in connection		
	126:15 with USEM exports?		
	126:16 A. Because we had a management		
	126:17 agreement.		
	126:18 Q. What is your understanding of		
	126:19 that management agreement?		
	126:20 A. I guess I don't know		
	126:21 specifically, but we supplied staff to do		
	126:22 whatever needed to be done.		
132:17 - 132:19	Reickard, Linda 2014-04-03	00:00:10	Reickard_04-03-14
	132:17 Q. When USEM agreed to take an		.54
	132:18 export, was there ever a loss associated with		
	132:19 that export?		
132:22 - 133:04	Reickard, Linda 2014-04-03	00:00:16	Reickard_04-03-14
	132:22 THE WITNESS: There was a		.55
	132:23 difference of what we took in as		
	132:24 income and paid out as expenses.		
	132:25 BY MR. BROWN:		
	133:01		
	133:02 Q. When you say you took in as		
	133:03 income, who were you taking that in from?		
	133:04 A. The exporter, the buyer.		
133:13 - 133:14	Reickard, Linda 2014-04-03	00:00:04	Reickard_04-03-14
 69.1.3	133:13 I'm going to hand you what will		.56
	133:14 be marked as Reickard-19.		

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DESIGNATION	SOURCE	DURATION	ID
133:21 - 134:20	Reickard, Linda 2014-04-03	00:01:13	Reickard_04-03-14
	133:21 Q. And this is an e-mail		.57
	133:22 correspondence between you and Gene Gregory		
	133:23 dated February 9, 2007. Is that correct?		
	133:24 A. Yes.		
 69.1.2	133:25 Q. In your e-mail to Mr. Gregory		
	134:01		
	134:02 you write, We now -- We have now received all		
	134:03 export loss money from November.		
	134:04 Did I read that correctly?		
	134:05 A. Yes.		
	134:06 Q. When you said "all export loss		
	134:07 money," what were you referring to?		
	134:08 A. I was referring to the eggs		
	134:09 that UEP bought for the people who didn't		
	134:10 supply their own eggs.		
	134:11 Q. Why did you refer to that as a		
	134:12 loss?		
	134:13 A. Because what UEP received for		
	134:14 those eggs was the price of the export less		
	134:15 \$0.01 commission versus what we had to pay		
	134:16 for those eggs on the open market.		
 Clear	134:17 Q. And what you had to pay for the		
	134:18 eggs on the open market, was that greater		
	134:19 than the price that you received for the		
	134:20 purchase of those eggs?		
134:23 - 135:11	Reickard, Linda 2014-04-03	00:00:43	Reickard_04-03-14
	134:23 THE WITNESS: The price of eggs		.58
	134:24 changes daily, so once word is out		
	134:25 about an export, more than likely the		
	135:01		
	135:02 price is going to be going up. So		
	135:03 depending on what day the eggs were		
	135:04 purchased, it usually became more		
	135:05 expensive to buy the eggs.		
	135:06 BY MR. BROWN:		
	135:07 Q. More expensive because the		
	135:08 price went up, the open market price went up?		
	135:09 A. Yes.		
	135:10 Q. And so who was responsible for		

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DESIGNATION	SOURCE	DURATION	ID
	135:11 paying that loss?		
135:14 - 137:11	Reickard, Linda 2014-04-03	00:01:59	Reickard_04-03-14
	135:14 THE WITNESS: To UEP you mean?		.59
	135:15 BY MR. BROWN:		
	135:16 Q. Yes.		
	135:17 A. The people who we bought the		
	135:18 eggs for, who UEP bought the eggs for who		
	135:19 didn't supply their own eggs in the export.		
	135:20 Q. And how did you keep track of		
	135:21 that?		
	135:22 A. Very carefully. Again, I had a		
	135:23 spreadsheet.		
	135:24 Q. And what was on the		
	135:25 spreadsheet?		
	136:01		
	136:02 A. The amount of money that came		
	136:03 in for the eggs. All the money that went out		
	136:04 for the eggs. And UEP did get a commission,		
	136:05 a cent commission.		
	136:06 Q. And once you had calculated the		
	136:07 amount of money that came in and the amount		
	136:08 of money that went out, what would you do		
	136:09 after that?		
	136:10 A. Then I would take the -- it was		
	136:11 all, again, based on their layer numbers. So		
	136:12 I used a pro rata share of their layer		
	136:13 numbers to determine how much of the loss		
	136:14 they were responsible for.		
	136:15 Q. Would you then send invoices or		
	136:16 bills to the individual members?		
	136:17 A. Yes, I did.		
	136:18 Q. How did you keep track of those		
	136:19 invoices going out and the money that came		
	136:20 in?		
	136:21 A. Well, I sent the invoices out.		
	136:22 Q. Sure.		
	136:23 A. And then all money that came in		
	136:24 to the UEP office I took care of recording		
	136:25 accounts receivable in all the different		
	137:01		

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DESIGNATION	SOURCE	DURATION	ID
	137:02 companies so, therefore, I was faxed copies		
	137:03 of all the checks that came in daily. So		
	137:04 then I was able to record on my invoice that		
	137:05 they had been paid and then record it in the		
	137:06 accounting program.		
	137:07 Q. When you said "all the		
	137:08 different companies," what were you referring		
	137:09 to?		
	137:10 A. The U.S. Egg Marketers members		
	137:11 who we purchased the eggs for.		
137:12 - 137:17	Reickard, Linda 2014-04-03	00:00:16	Reickard_04-03-14
	137:12 Q. Did USEM and UEP have separate		.60
	137:13 accounts?		
	137:14 A. Oh, yes.		
	137:15 Q. Was there any commingling of		
	137:16 those accounts?		
	137:17 A. No.		
141:04 - 141:06	Reickard, Linda 2014-04-03	00:00:17	Reickard_04-03-14
	141:04 Q. Do you have an understanding		.61
	141:05 why USEM members would agree to an export		
	141:06 when there was an export loss?		
141:09 - 141:15	Reickard, Linda 2014-04-03	00:00:19	Reickard_04-03-14
	141:09 THE WITNESS: You're talking		.62
	141:10 about a loss. At the time -- I think		
	141:11 at the time that they agreed to an		
	141:12 export, there was an oversupply of		
	141:13 eggs and they were probably losing		
	141:14 money in their business. And that's		
	141:15 why they would agree to it.		
141:20 - 141:21	Reickard, Linda 2014-04-03	00:00:05	Reickard_04-03-14
	141:20 Q. I'm going to hand to you what		.63
	141:21 will be marked as Exhibit Reickard-21.		
142:03 - 142:04	Reickard, Linda 2014-04-03	00:00:06	Reickard_04-03-14
	142:03 BY MR. BROWN:		.64
 80.1.5	142:04 Q. This is UE0475456.		
142:05 - 143:04	Reickard, Linda 2014-04-03	00:01:09	Reickard_04-03-14
	142:05 A. [Reviewing document.] Okay.		.65
	142:06 Q. Am I correct that this is		
	142:07 e-mail correspondence that you are copied on		

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DESIGNATION	SOURCE	DURATION	ID
	142:08 from November 22, 2006?		
	142:09 A. Yes.		
	142:10 Q. And if you look at Gene		
	142:11 Gregory's e-mail -- well, first, who was		
	142:12 Wayne Winslow?		
	142:13 A. He is with NuCal Foods. I'm		
	142:14 not positive what his -- I don't know if he's		
	142:15 manager or CEO or president, but he's with		
	142:16 them.		
	142:17 Q. Was NuCal Foods a USEM member?		
	142:18 A. Yes.		
 80.1.3	142:19 Q. If you look at the earliest		
	142:20 e-mail in the chain all the way at the		
	142:21 bottom.		
	142:22 A. Can I take that back?		
	142:23 Q. Yes, please.		
	142:24 A. I don't know that NuCal --		
	142:25 NuCal -- it would be the members of NuCal		
	143:01		
	143:02 that were the members of U.S. Egg Marketers,		
	143:03 not NuCal itself because they don't have		
	143:04 birds.		
143:24 - 144:09	Reickard, Linda 2014-04-03	00:00:26	Reickard_04-03-14
 80.1.4	143:24 Q. And then Mr. Winslow responds		.66
	143:25 and says, "We understand how the system works		
	144:01		
	144:02 and the benefits of the system."		
	144:03 Did I read that correctly?		
	144:04 A. Yes.		
	144:05 Q. Do you have an understanding of		
	144:06 what he's referring to when he discusses the		
	144:07 benefits of the system?		
	144:08 A. No, I don't know what he		
 Clear	144:09 thought the benefits of the system were. No.		
144:10 - 144:12	Reickard, Linda 2014-04-03	00:00:06	Reickard_04-03-14
	144:10 Q. Do you have an understanding of		.67
	144:11 what the benefits of the system are to USEM		
	144:12 members?		
144:15 - 144:19	Reickard, Linda 2014-04-03	00:00:11	Reickard_04-03-14
	144:15 THE WITNESS: I think the		.68



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DESIGNATION	SOURCE	DURATION	ID
	144:16 benefit of the program is to stabilize 144:17 the egg market prices. And that's not 144:18 just to U.S. Egg Marketers members, 144:19 that's to all egg producers.		
144:21 - 145:03	Reickard, Linda 2014-04-03 144:21 Q. ... -- were non-members allowed 144:22 to participate in USEM exports? 144:23 A. I think there were a few times 144:24 when there was support by non-members, yes. 144:25 Q. Do you know why that occurred? 145:01 145:02 A. I think they saw the benefit of 145:03 it. I don't know why they weren't members.	00:00:30	Reickard_04-03-14 .69
208:06 - 208:14	Reickard, Linda 2014-04-03 208:06 Q. What was the purpose of this 208:07 UEP Certified Guideline Monthly Compliance 208:08 Report that's been previously marked as 208:09 Reickard-4? 208:10 A. It was just a self check for 208:11 the producers to make sure that they were 208:12 abiding by the guidelines. 208:13 Q. So it was sort of like a self 208:14 evaluation?	00:00:23	Reickard_04-03-14 .70
 308.1			
208:16 - 208:16	Reickard, Linda 2014-04-03 208:16 THE WITNESS: Yes.	00:00:00	Reickard_04-03-14 .71
 Clear			
208:16 - 208:16	Reickard, Linda 2014-04-03 208:16 THE WITNESS: Yes.	00:00:00	Reickard_04-03-14 .72
208:21 - 210:11	Reickard, Linda 2014-04-03 208:21 Q. If a member did not fill out 208:22 one of these compliance self check forms as 208:23 you describe it, did you remind the member? 208:24 A. Yes, we did. 208:25 Q. And why did you do that? 209:01 209:02 A. Because we wanted them to fill 209:03 out the form so they would know if they were 209:04 in compliance or not because we wanted them 209:05 to be -- to pass their audit every year. 209:06 Q. And why did you want them to	00:01:53	Reickard_04-03-14 .73

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DESIGNATION	SOURCE	DURATION	ID
	209:07 pass their audit?		
	209:08 A. So that we knew that they were		
	209:09 humanely treating their birds correctly.		
	209:10 Q. And did you remind the members		
	209:11 if they didn't complete their self check in		
	209:12 writing?		
	209:13 A. Yes, we sent them a letter.		
	209:14 Q. And did you -- so explain to		
	209:15 me, when you got this report, what did you do		
	209:16 on each page?		
	209:17 A. I went through each page to		
	209:18 make sure that they had filled everything		
	209:19 out. If anything was missing, then we		
	209:20 notified them that something was missing and		
	209:21 we asked them to completely fill out the form		
	209:22 and send it back to us.		
	209:23 Q. And what was the concern if		
	209:24 something was missing?		
	209:25 A. That they wouldn't know if they		
	210:01		
	210:02 were in compliance or not.		
	210:03 Q. And then they could possibly		
	210:04 fail the audit?		
	210:05 A. Yes.		
	210:06 Q. Did you follow up -- if they		
	210:07 didn't check off something, did you follow up		
	210:08 to make sure that they then did it?		
	210:09 A. No. Most of them would send it		
	210:10 back completed, but we did not follow up if		
	210:11 they didn't.		
210:17 - 210:19	Reickard, Linda 2014-04-03	00:00:16	Reickard_04-03-14
 308.1	210:17 Q. Did you write to certified		.74
	210:18 members on a variety of the requirements		
	210:19 identified on the monthly compliance part?		
210:23 - 211:02	Reickard, Linda 2014-04-03	00:00:09	Reickard_04-03-14
 308.1	210:23 A. Yes, there was a variety		.75
	210:24 of things that they missed putting in. The		
	210:25 biggest thing was the fact that we didn't		
	211:01		
	211:02 even get the reports.		



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DESIGNATION	SOURCE	DURATION	ID
211:03 - 211:09	Reickard, Linda 2014-04-03	00:00:28	Reickard_04-03-14
 308.3	211:03 Q. Turn to page 3 of this report.		.76
	211:04 How long did we decide that you have worked		
	211:05 for either Midwest or UEP?		
	211:06 A. 35 years.		
	211:07 Q. 35 years. In your 35 years'		
	211:08 experience, did producers typically fill		
 Clear	211:09 houses to the full capacity of the house?		
211:11 - 211:11	Reickard, Linda 2014-04-03	00:00:02	Reickard_04-03-14
	211:11 THE WITNESS: I think so, yes.		.77
212:08 - 212:25	Reickard, Linda 2014-04-03	00:00:56	Reickard_04-03-14
	212:08 Now, in terms of the dues list		.78
	212:09 that you have testified to today, why did you		
	212:10 use the capacity layer number instead of the		
	212:11 actual hen numbers?		
	212:12 A. Because we needed to be		
	212:13 consistent with everyone, and every day there		
	212:14 would be a different number of layers on		
	212:15 every farm. So using the capacity numbers		
	212:16 would be a more accurate way to keep track of		
	212:17 everything.		
 308.1	212:18 Q. And I'm sorry, going back to		
	212:19 Reickard-4, the compliance report that we		
	212:20 just looked at, this form actually, when the		
	212:21 producer would fill out this form, this was		
	212:22 actually layers, is that correct, as opposed		
	212:23 to capacity?		
	212:24 A. That's correct. This was		
 Clear	212:25 actual layers.		
223:19 - 224:02	Reickard, Linda 2014-04-03	00:00:17	Reickard_04-03-14
	223:19 (Exhibit Reickard-44, Dues List,		.79
	223:20 Bates UE0268031 - UE0268035, was		
	223:21 marked for identification.)		
	223:22 - - -		
	223:23 BY MS. LEVINE:		
 646.1	223:24 Q. R-44 is another dues list		
	223:25 that's compiled of several pages, and they're		
	224:01		
	224:02 Bates stamped UE0268031 through UE0268035.		

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DESIGNATION	SOURCE	DURATION	ID
224:03 - 224:05	Reickard, Linda 2014-04-03	00:00:06	Reickard_04-03-14
	224:03 Ms. Reickard, can you identify		.80
	224:04 Reickard-44?		
	224:05 A. Yes, this is my dues document.		
230:23 - 231:24	Reickard, Linda 2014-04-03	00:01:21	Reickard_04-03-14
	230:23 (Exhibit Reickard-46, Dues list,		.81
	230:24 Bates UE0198018 - UE0198023, was		
	230:25 marked for identification.)		
	231:01		
	231:02 - - -		
 643.1	231:03 MS. LEVINE: R-46 is Bates		
	231:04 stamped UE0198018 through UE0198023.		
	231:05 I'm going to mark the next dues		
	231:06 list as R-47.		
	231:07 - - -		
	231:08 (Exhibit Reickard-47, Dues list,		
	231:09 Bates UE0198080 - UE0198085, was		
	231:10 marked for identification.)		
	231:11 - - -		
 645.1	231:12 MS. LEVINE: R-47 is a dues list		
	231:13 Bates stamped UE0198080 through		
	231:14 UE0198085.		
	231:15 I'm going to mark the next		
	231:16 document as Reickard-48.		
	231:17 - - -		
	231:18 (Exhibit Reickard-48, Dues List,		
	231:19 Bates UE0198065 - UE0198069, was		
 644.1	231:20 marked for identification.)		
	231:21 - - -		
	231:22 MS. LEVINE: Reickard-48 is		
	231:23 another member layers dues list Bates		
	231:24 stamped UE0198065 through UE0198069.		
231:25 - 232:13	Reickard, Linda 2014-04-03	00:00:49	Reickard_04-03-14
 577.1	231:25 I'm going to mark the next		.82
	232:01		
	232:02 document as R-49, which is dues		

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DESIGNATION	SOURCE	DURATION	ID
	232:03 list -- which is a dues list Bates		
	232:04 stamped UE0243147 through UE0243152.		
	232:05 - - -		
	232:06 (Exhibit Reickard-49, Dues list,		
	232:07 Bates UE0243147 - UE0243152, was		
	232:08 marked for identification.)		
	232:09 - - -		
	232:10 MS. LEVINE: I'm going to mark		
 642.1	232:11 the next document as R-50. R-50 is		
	232:12 another dues list marked UE0197900		
	232:13 through UE0197904.		
232:14 - 233:05	Reickard, Linda 2014-04-03	00:00:21	Reickard_04-03-14
	232:14 - - -		.83
	232:15 (Exhibit Reickard-50, Dues list,		
	232:16 Bates UE0197900 - UE0197904, was		
	232:17 marked for identification.)		
	232:18 - - -		
	232:19 BY MS. LEVINE:		
	232:20 Q. Again, in the interest of time,		
	232:21 that's why I'm just going to just Bates stamp		
	232:22 them all and ask you some questions.		
	232:23 So, Ms. Reickard, you have		
	232:24 R-46, R-47, R-48, R-49 and R-50 in front of		
	232:25 you?		
	233:01		
	233:02 A. Yes.		
	233:03 Q. Can you identify these		
	233:04 documents?		
	233:05 A. They are my dues records.		
233:06 - 233:11	Reickard, Linda 2014-04-03	00:00:19	Reickard_04-03-14
	233:06 Q. And the same questions as I		.84
	233:07 asked before. Did you or someone at your		
	233:08 direction, your assistants, verify each and		
	233:09 every line of the hen layer numbers on these		
	233:10 documents?		
	233:11 A. Yes.		
 Clear			
237:23 - 238:04	Reickard, Linda 2014-04-03	00:00:16	Reickard_04-03-14
	237:23 Q. Did you keep -- did you		.85
	237:24 maintain the dues list?		

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DESIGNATION	SOURCE	DURATION	ID
	237:25 A. My assistant and I did, yes. 238:01 238:02 Q. And you maintained them in the 238:03 ordinary course of your business? 238:04 A. Yes.		
238:05 - 238:09	Reickard, Linda 2014-04-03 238:05 Q. If I were to ask you what you 238:06 thought was the most reliable document to 238:07 determine the members of UEP, what document 238:08 or documents would that be? 238:09 A. My dues list.	00:00:16	Reickard_04-03-14 .86
238:11 - 238:15	Reickard, Linda 2014-04-03 238:11 THE WITNESS: My dues list. 238:12 BY MS. LEVINE: 238:13 Q. And why is that? 238:14 A. Because I was very methodical 238:15 about keeping it up to date.	00:00:08	Reickard_04-03-14 .87

Plaintiff Designations	00:54:40
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Defense Counters	00:05:40
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TOTAL RUN TIME	01:00:20
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Documents linked to video:

54	643
69	644
80	645
109	646
193	
276	
308	
315	
316	
578	
577	
642	